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D.1 General

Most trustee agencies have internal decisionmaking processes in place. Trustees should determine whether any modifications or existing processes is needed to facilitate restoration-related decisions. If necessary, trustees may need to establish a distinct decisionmaking process for restoration actions. This appendix is intended to provide guidance to trustees in reviewing or developing a restoration decisionmaking process. This guidance is to supplement, not replace, existing processes.

D.2 Trustee Agency's Restoration Decisionmaking Process

Trustees should identify the decisionmaking process in their agency to ensure that it:

- Identifies the principle decisionmakers in the agency for all restoration-related activities;
- Identifies the decisionmakers for a particular type of incident and restoration project;
- Establishes the responsibilities of the decisionmakers in directing the incident and restoration project;
- Defines how best to interact with the various decisionmakers;
- Defines how to interact with other trustees agencies and their decisionmakers;
- Defines how to interact with the public;
- Defines what specific information the various decisionmakers need to know.
- Defines what specific information the decisionmakers need to provide the trustee team members before restoration action begins; and
- Identifies designees to act on behalf of the decisionmakers at certain levels.

D.3 Identifying the Decisionmakers

Trustees should identify the decisionmakers at the outset of restoration planning. The trustees should determine who, within their agency, has the final signing authority to, for example:

- Approve or disapprove the proposed restoration actions;
- Make a decision on a categorical exclusion or other exemption; and
- Sign the FONSI or ROD.

Trustees should also identify all other parties who might have authority delegated to them to make intermediate decisions, such as deciding on:

- Technical and scientific issues;
- Type and level of documentation;
- Type and amount of public involvement;
- Composition of the restoration planning team; and
- Funding.

D.4 Keeping the Decisionmakers Informed

Throughout the restoration planning process, the trustee's agency decisionmakers must be kept informed. This may be best achieved through face-to-face meetings, telephone calls, facsimiles, and/or memoranda. If the decisionmaker is kept informed, he can tell along the way whether the analysis and documentation for restoration planning will provide the type and quality of information for an informed and objective decision.

D.5 Decision Example

The actual decisionmaking for restoration planning may vary from agency to agency and from project to project, but generally proceeds as follows:

- The trustees complete the analysis with appropriate public involvement, enter this analysis in the Administrative Record, and provide the restoration plan documents and other supporting materials to the decisionmakers;
- The trustees brief the decisionmakers and recommend a course of action, usually in the form of a draft decision document:
 - ◆ FONSI for an EA; explaining why the restoration action(s) is not significant enough to pursue an EIS and why the restoration alternative(s) are being proposed; or
 - ◆ ROD for an EIS; explaining why the restoration action(s) is significant and why the restoration alternative(s) is being proposed;
- The decisionmakers decide on a course of action, including the possibility of revising the draft decision document;
- The lead trustee team member or public affairs officer notifies the public of the final decision; and
- The trustees implement the selected restoration alternative(s), assuming the decision was to implement the project.

The NEPA regulations do not identify a formal document for recording the rationale for the selected restoration alternative(s) developed through an EA. However, most agencies document the rationale in a brief decision memorandum, sometimes called a Decision Notice or Decision Record.

D.6 Decision Factors

There are a host of decisionmaking factors that may play into restoration planning, including:

- Technical;
- Economic;
- Environmental;
- Project objectives and performance criteria;
- Scheduling constraints and opportunities;
- Budgeting constraints and opportunities;
- Administrative policy and traditions;
- Needs of the affected or interested public; and
- Political factors.

These items are all legitimate factors that should be appropriately considered in the decisionmaking process.